

RESOLUTION NO. 09-47

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, ESTABLISHING A CITY OF HIALEAH IDENTITY THEFT PREVENTION PROGRAM AS REQUIRED BY THE FEDERAL TRADE COMMISSION'S RED FLAG RULE AND PROVIDING AN EFFECTIVE DATE OF MAY 1, 2009.

WHEREAS, the Red Flags Rule was developed pursuant to the Fair and Accurate Credit Transactions (FACT) Act of 2003; and

WHEREAS, the final rules require each financial institution and creditor that holds any consumer account, or other account for which there is a reasonably foreseeable risk of identity theft, to develop and implement an identity theft prevention program for combating identity theft in connection with new and existing accounts, which must be adopted by May 1, 2009; and

WHEREAS, the identity theft prevention program must contain reasonable policies and procedures to identify relevant red flags for covered accounts and incorporate those red flags into the identity theft prevention program, detect red flags that have been incorporated into the identity theft prevention program, respond appropriately to any red flags that are detected to prevent and mitigate identity theft, ensure the identity theft prevention program is updated periodically to reflect changes in risks to customers or to the safety and soundness of the City from identity theft, and

WHEREAS, the City has created an identity theft prevention program that complies with the new requirements; and

WHEREAS, the identity theft prevention program must be approved by the governing body of the affected agency to be in compliance.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

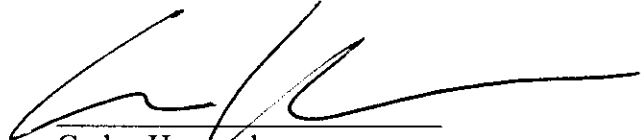
Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: That the City of Hialeah Identity Theft Prevention Program is hereby adopted in accordance with the Red Flag Rules developed pursuant to the Fair and Accurate

Credit Transactions (FACT) Act of 2003, a copy of which is attached hereto and made a part hereof as Exhibit "1".

Section 3: This Resolution shall become effective May 1, 2009.


PASSED AND ADOPTED this 28th day of April, 2009.



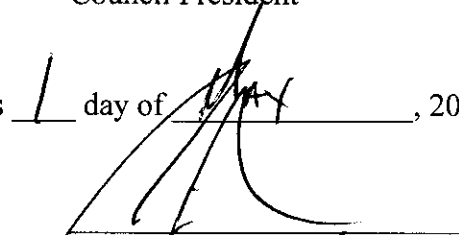
Carlos Hernandez
Council President

Attest:

Approved on this 1 day of May, 2009.



Rafael E. Granado
City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".